

1 THE HONORABLE RICARDO S. MARTINEZ  
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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA, ) No. CR19-200-RSM  
10 Plaintiff, )  
11 v. ) ORDER GRANTING EMERGENCY  
12 THOMAS DAY, ) MOTION FOR TEMPORARY  
13 Defendant. ) RELEASE FROM CUSTODY

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14 THE COURT has considered the Defendant's motion for temporary release from  
15 custody to attend funeral services.

16 THE COURT GRANTS the motion pursuant to 18 U.S.C. § 3145(b) and (c) or  
17 18 U.S.C. 3142(i), and 28 C.F.R. 570.33(b) and 18 U.S.C. § 3622 and sets the  
18 following conditions of release:

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- 20 1. The defendant shall be released from the Federal Detention Center-SeaTac no  
21 later than 6:00 a.m. on Saturday, January 30, 2021;
- 22 2. Release on third-party custody to: Ted Donato
- 23 3. The defendant shall be tested for COVID-19 prior to release from custody.  
24 Should he test positive for COVID-19, the following provision for location  
monitoring shall not apply.
- 25 4. If the defendant tests negative for COVID-19, the defendant shall comply with  
26 Stand Alone Monitoring component of Location Monitoring Program. The  
defendant shall be monitored by Active Global Positioning Satellite technology

1 which shall be utilized for purposes of verifying compliance with any court-  
2 imposed condition of supervision. The defendant shall abide by all program  
3 requirements, and must contribute towards the costs of the services, to the extent  
4 financially able, as determined by the location monitoring specialist.  
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5. During his temporary release, the defendant shall be allowed to attend his  
grandmother's funeral at Kern Funeral Home, Cedar Hat Pavilion, and  
Swinomish Indian Cemetery. He shall either be in transit to or from the funeral  
services, and at all times be in the company of Ted Donato.
6. The defendant shall self-surrender himself to the Federal Detention Center-  
SeaTac no later than 5:00 p.m. on Saturday, January 30, 2021.
7. The defendant shall be subject to the Federal Detention Center's policies  
regarding a return from this temporary release.

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10 DONE this 29<sup>th</sup> day of January, 2021.

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15 RICARDO S. MARTINEZ  
16 CHIEF UNITED STATES DISTRICT  
17 JUDGE  
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19 Presented by:  
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21 s/ *Gregory Geist*  
22 Assistant Federal Public Defender  
23 Attorney for Thomas Day  
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